

DOCKET NO.: 296895US0PCT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF:

GROUP: 1745

Frank-Martin PETRAT, et al.

SERIAL NO: 10/594,995

ATTENTION:

FILING RECEIPT CORRECTIONS

FILED: July 26, 2007

FOR: NANOSCALAR SILICON PARTICLES IN NEGATIVE ELECTRODE  
MATERIALS FOR USE IN LITHIUM-ION BATTERIES

**REQUEST FOR CORRECTED OFFICIAL FILING RECEIPT**

Office of Initial Patent Examination  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

The Patent Office is requested to provide a corrected Official Filing Receipt for the following.

PLEASE NOTE THAT THE FILING DATE IS INCORRECT. IT SHOULD READ AS FOLLOWS:

**07/26/2007**

PLEASE NOTE THAT THE 6<sup>TH</sup> APPLICANT'S CITY IS INCORRECT. IT SHOULD READ AS FOLLOWS:

FRANK-MARTIN PETRAT, MUENSTER, GERMANY

VOLKER HENNIGE, DUELMEN, GERMANY

EVELYN ALBRECHT, RECKLINGHAUSEN, GERMANY

DAVID LEE, BELLEMEAD, NJ

HILMI BUQA, BRUGG, SWITZERLAND

MICHAEL HOLZAPFEL, MUENCHEN, GERMANY

PETR NOVAK, BRUGG, SWITZERLAND

**DRAFT COPY - DO NOT MAIL**

APPL NO.	FILING OR 371(c) DATE	ART UNIT.	FIL FEE REC'D	ATTY. DOCKET NO	TOT CLMS	IND CLMS
10/594,995	07/26/2007	1795	1030	296895US0PCT	13	1

CONFIRMATION NO. 3290

22850

OBLON, SPIVAK, MCCLELLAND MAIER & NEUSTADT, P.C.  
1940 DUKE STREET  
ALEXANDRIA, VA 22314

CORRECTED FILING RECEIPT



\*OC000000028068603\*

**Applicant(s)**

Frank-Martin Petrat, Muenster, GERMANY;  
Volker Hennige, Duermen, GERMANY;  
Evelyn Albrecht, Recklinghausen, GERMANY;  
David Lee, Belle Mead, NJ;  
Hilmi Buqa, Brugg, SWITZERLAND;  
Michael Holzapfel, Muenchen, GERMANY;  
Petr Novak, Brugg, SWITZERLAND;

**Assignment For Published Patent Application**

DEGUSSA AG, Duesseldorf, GERMANY

**Power of Attorney:** The patent practitioners associated with Customer Number 22850.

**Domestic Priority data as claimed by applicant**

This application is a 371 of PCT/EP05/51238 03/17/2005

**Foreign Applications**

GERMANY 10 2004 016 766.4 04/01/2004

**If Required, Foreign Filing License Granted:** 08/26/2007

**The country code and number of your priority application, to be used for filing abroad under the Paris Convention, is** **US10/594,995**

**Projected Publication Date:** Not Applicable

**Non-Publication Request:** No

**Early Publication Request:** No

**Title**

Nanoscalar Silicon Particles in Negative Electrode Materials for Use in Lithium-Ion Batteries

**Preliminary Class**

429

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IAP12 Rec'd PCT/PTO 30 JAN 2008

PCT



**UNITED STATES PATENT AND TRADEMARK OFFICE**

*In Re:*

*U.S. Patent Application*


*Serial No.: 11/597,581*

*Inv.: A. F. NIKULIN*

*I. A. Filing Date: 07/20/2005*

*Priority Date: 08/06/2004*

I hereby certify that this correspondence is  
being deposited with the United States  
Postal Service by First Class Mail on the  
date indicated above and is addressed  
to the Assistant Commissioner of Patents  
and Trademarks, P. O. Box 1450  
Alexandria, VA. 22313-1450

01/15/2008  
LYA ZBOROVSKY  


Commissioner for Patents  
P O Box 1450  
Alexandria, VA 22313-1450

Sir:

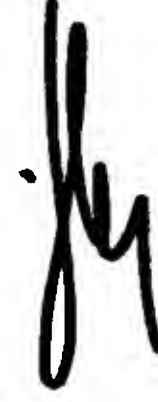
In this application a Notification of Missing Requirements has been issued, and a response was mailed on September 14, 2007.

The inquiry made to the OIPE showed that the response has not yet been received. In connection with this a copy of the response has been submitted herewith.

It is respectfully submitted to accept the response and to follow the case to a technology unit for examination.

Respectfully submitted,

Ilya Zborovsky  
Agent for Applicant  
Reg. No.: 28563

A handwritten signature in black ink, appearing to be 'Ily Zborovsky', written in a cursive style.



**UNITED STATES PATENT AND TRADEMARK OFFICE**

*In Re:*

*U.S. Patent Application*

*Serial No.: 11/597,581*

*Inv.: A. F. NIKULIN*

*I. A. Filing Date: 07/20/2005*

*Priority Date: 08/06/2004*

Commissioner for Patents  
P O Box 1450  
Alexandria, VA 22313-1450

Sir:

Responsive to the Notice of Missing Requirements of July 19, 2007, enclosed please find a Declaration executed by the inventors, with required fee of \$65.00. If the fee is missing or insufficient, please charge the fee to the account of the undersigned 26-0085.

Respectfully submitted,

Ilya Zborovsky  
Agent for Applicant  
Reg. No.: 28563

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date indicated above and is addressed  
to the Assistant Commissioner of Patents  
and Trademarks, P. O. Box 1450  
Alexandria, VA 22313-1450  
09/14/2007  
ILYA ZBOROVSKY



DECLARATION AND POWER OF ATTORNEY FOR NATIONAL STAGE OF PCT PATENT APPLICATION

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled BALL BEARING, the specification of which was filed as PCT International Application number PCT/UA2005/000003 on 07-20-2005 and was amended under PCT Article 19 on \_\_\_\_\_ (if applicable).

I hereby state I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, Section 1.56(a).

I hereby claim foreign priority benefits under Title 35, United States Code, Section 119 of any foreign application(s) for patent or inventor=s certificate listed below and have also identified below any foreign application for patent or inventor=s certificate having a filing date before that of the application on which priority is claimed:

Prior foreign application(s)

Priority claimed

20040806599  
(Number)

Ukrainian  
(Country)

08-06-2004

X  
Yes

      
No

                      
(Number)

                      
(Country)

      
Yes

      
No

As a named inventor, I hereby appoint the following attorney to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith:

Ilya Zborovsky, Reg. No. 28 563

Direct all telephone calls to Ilya Zborovsky  
address all correspondence to:

at telephone no. (631)243-3818 and

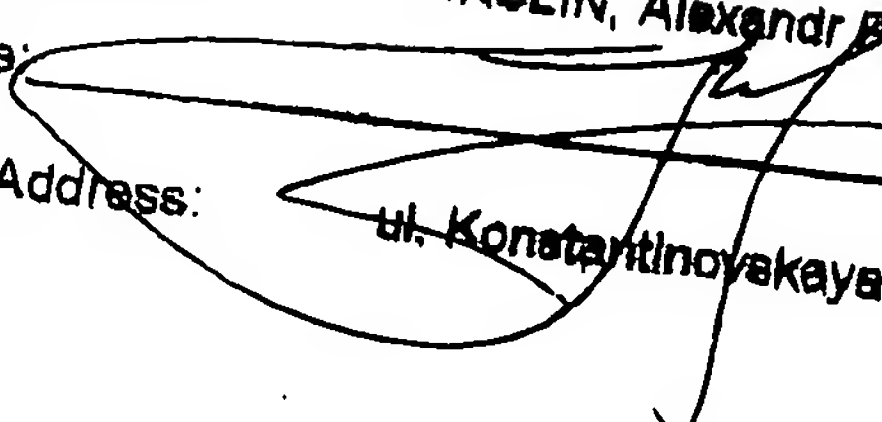
Ilya Zborovsky  
6 Schoolhouse Way  
Dix Hills, N.Y. 11746

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of sole or first inventor:

NIKULIN, Alexandr Fedorovich

First inventor's signature:



Date:

09-04-07

Residence & Post Office Address:

ul. Konstantinovskaya d. 61, kv. 44, Kiev 04080, Ukraine

Citizenship:

Ukrainian





Carlsbad Caverns National Park, NM

Ely Zborovsky Patent Bureau  
6 Schoolhouse Way  
Dix Hills, NY 11746

USPS 2002 Recycled

11/597,581



Nikulin

11/597,581

09/14/07

Response  
Form  
Recd  
card



## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
 www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
11/597,581	ALEXANDR FEDOROVICH NIKULIN	

INTERNATIONAL APPLICATION NO.

PCT/UA05/00030

I.A. FILING DATE

PRIORITY DATE

07/20/2005

08/06/2004

Ilya Zborovsky  
 6 Schoolhouse Way  
 Diz Hills, NY 11746

CONFIRMATION NO. 7878

371 FORMALITIES LETTER



\*OC000000024889502\*

Date Mailed: 07/19/2007

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Indication of Small Entity Status
- Copy of the International Application filed on 11/24/2006
- English Translation of the IA filed on 11/24/2006
- Copy of the International Search Report filed on 11/24/2006
- Preliminary Amendments filed on 11/24/2006
- Information Disclosure Statements filed on 11/24/2006
- Request for Immediate Examination filed on 11/24/2006
- U.S. Basic National Fees filed on 11/24/2006
- Priority Documents filed on 11/24/2006

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.

## SUMMARY OF FEES DUE:

Total additional fees required for this application is \$65 for a Small Entity:

- \$65 Surcharge.

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

Registered users of EFS-Web may alternatively submit their reply to this notice via EFS-Web.  
<https://sportal.uspto.gov/authenticate/AuthenticateUserLocalEPF.html>

For more information about EFS-Web please call the USPTO Electronic Business Center at 1-866-217-9197 or visit our website at <http://www.uspto.gov/ebs>.

**If you are not using EFS-Web to submit your reply, you must include a copy of this notice.**

ANITA D JOHNSON

Telephone: (703) 308-9140 EXT 226

**PART 1 - ATTORNEY/APPLICANT COPY**

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
11/597,581	PCT/UA05/00030	